

# Senate File 208 - Introduced

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON ENVIRONMENT  
AND ENERGY INDEPENDENCE

(SUCCESSOR TO SF 135)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the membership and administration of the Iowa  
2 propane education and research council, increasing an  
3 assessment, and providing an effective date.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2089SV 83  
6 rn/nh/5

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1 1 Section 1. Section 101C.2, Code 2009, is amended by adding  
2 the following new subsections:

1 3 NEW SUBSECTION. 2A. "Energy star certification" means  
1 4 meeting energy efficiency standards and guidelines pursuant to  
1 5 the energy star program developed and jointly administered by  
1 6 the United States environmental protection agency and United  
1 7 States department of energy.

1 8 NEW SUBSECTION. 13. "Weatherization" means activities  
1 9 designed to promote or enhance energy efficiency in a  
1 10 residence or other building including but not limited to the  
1 11 installation of attic, wall, foundation, crawlspace, water  
1 12 heater, and pipe insulation; air sealing including caulking  
1 13 and weather-stripping of windows and doors; installation of  
1 14 windows and doors that qualify for energy star certification;  
1 15 the performance of home energy audits; programmable thermostat  
1 16 installation; and carbon monoxide and radon inspection and  
1 17 detection system installation.

1 18 Sec. 2. Section 101C.2, subsection 8, Code 2009, is  
1 19 amended by striking the subsection.

1 20 Sec. 3. Section 101C.3, subsections 1 and 4, Code 2009,  
1 21 are amended to read as follows:

1 22 1. The Iowa propane education and research council is  
1 23 established. ~~Members of the council shall be appointed by the~~  
~~1 24 governor from a list of nominees submitted by qualified~~  
~~1 25 propane industry organizations within thirty days after May~~  
~~1 26 24, 2007, and by December 15 of each year thereafter. The~~  
1 27 council shall consist of ten voting members, nine of whom  
1 28 represent retail propane marketers and one of whom shall be a  
~~1 29 public member the administrator of the division of community~~  
1 30 ~~action agencies of the department of human rights, or the~~  
1 31 ~~administrator's designee. Qualified propane industry~~

~~1 32 organizations shall together nominate all members of the~~  
~~1 33 council. Members of the council other than the administrator,~~

~~1 34 or the administrator's designee, shall be appointed by the~~  
~~1 35 fire marshal from a list of nominees submitted by qualified~~

~~2 1 propane industry organizations by December 15 of each year. A~~

2 2 vacancy in the unfinished term of a council member shall be  
2 3 filled for the remainder of the term in the same manner as the

2 4 original appointment was made. Other than the ~~public member~~  
2 5 ~~administrator, or the administrator's designee,~~ council

2 6 members shall be full-time employees or owners of a propane  
2 7 industry business or representatives of an agricultural

2 8 cooperative actively engaged in the propane industry. An  
2 9 employee of a qualified propane industry organization shall

2 10 not serve as a member of the council. An officer of the board  
2 11 of directors of a qualified propane industry organization or

2 12 propane industry trade association shall not serve  
2 13 concurrently as a member of the council. The fire marshal or

2 14 a designee may serve as an ex officio, nonvoting member of the

2 15 council.  
2 16 4. A council member, ~~other than the public member,~~ shall  
2 17 not receive compensation for the council member's service and  
2 18 shall not be reimbursed for expenses relating to the council  
2 19 member's service. ~~The public member shall receive a per diem~~  
2 20 ~~as specified in section 7E.6 and shall be reimbursed for~~  
2 21 ~~actual expenses incurred in performing official duties of the~~  
2 22 ~~council not to exceed forty days per year.~~ A member of the  
2 23 council shall not be a salaried employee of the council or of  
2 24 any organization or agency which receives funds from the  
2 25 council.

2 26 Sec. 4. Section 101C.4, subsection 1, Code 2009, is  
2 27 amended to read as follows:

2 28 1. The council and its activities shall be funded by an  
2 29 annual assessment. Upon establishment of the council and each  
2 30 year thereafter the annual assessment shall be made at a rate  
2 31 of ~~one-tenth~~ two-tenths of one cent on each gallon of odorized  
2 32 propane sold. One-half of the assessment shall be used for  
2 33 energy efficiency programs dedicated to weatherization,  
2 34 acquisition and installation of energy-efficient customer  
2 35 appliances that qualify for energy star certification,  
3 1 installation of low-flow faucets and showerheads, and energy  
3 2 efficiency education. The council shall by rule establish  
3 3 quality standards in relation to weatherization and appliance  
3 4 installation.

3 5 Sec. 5. Section 101C.11, Code 2009, is amended to read as  
3 6 follows:

3 7 101C.11 REPORT.

3 8 The council shall prepare and submit an annual report to  
3 9 the fire marshal and the auditor of state summarizing the  
3 10 activities of the council conducted pursuant to this chapter.  
3 11 The report shall show all income, expenses, and other relevant  
3 12 information concerning assessments collected and expended  
3 13 under this chapter. The report shall also include a summary  
3 14 of the energy efficiency programs administered pursuant to the  
3 15 assessment in section 101C.4, subsection 1, and energy  
3 16 efficiency expenditures made pursuant thereto.

3 17 Sec. 6. Section 101C.14, Code 2009, is repealed.

3 18 Sec. 7. EFFECTIVE DATE. The section of this Act amending  
3 19 section 101C.4, subsection 1, takes effect January 1, 2010.

3 20 EXPLANATION

3 21 This bill modifies the membership of the Iowa propane  
3 22 education and research council. Current law provides for nine  
3 23 members of the council representing retail propane marketers,  
3 24 and one "public member" of the council who represents a  
3 25 significant user of propane, a public safety official, a state  
3 26 regulatory official, or another group knowledgeable about  
3 27 propane. The bill deletes references to a public member,  
3 28 instead providing that the tenth member shall be the  
3 29 administrator of the division of community action agencies of  
3 30 the department of human rights or the administrator's  
3 31 designee. The bill makes conforming changes elsewhere in Code  
3 32 chapter 101C.

3 33 The bill also provides for an increase in the annual  
3 34 assessment imposed pursuant to Code section 101C.4 to fund the  
3 35 expenses and activities of the council from the current rate  
4 1 of one-tenth of 1 cent to two-tenths of 1 cent on each gallon  
4 2 of odorized propane sold. The bill directs that one-half of  
4 3 the assessment shall be used for energy efficiency programs  
4 4 dedicated to weatherization, acquisition, and installation of  
4 5 energy star certified customer appliances, and energy  
4 6 efficiency education. The bill defines "weatherization" to  
4 7 refer to a nonexclusive list of energy efficiency activities  
4 8 specified in the bill, and defines what is meant by "energy  
4 9 star certification". The bill provides that the assessment  
4 10 increases and the dedication of a portion of the assessments  
4 11 specifically to energy efficiency programs take effect January  
4 12 1, 2010.

4 13 The bill adds to current reporting requirements a summary  
4 14 of the council's energy efficiency activities and  
4 15 expenditures.

4 16 The bill additionally repeals a future repeal date for the  
4 17 Code chapter of December 31, 2014.

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